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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,425	06/24/2003	William G. Pagan	RPS920030088US1	9632

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/602,425	PAGAN, WILLIAM G.
	Examiner	Art Unit	
	Jordany Núñez	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 May 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance, except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10,12-18,21,23-27,29,30,32 and 34-45* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10,12-18,21,23-27,29,30,32 and 34-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed

subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claim 12 recites a "computer-readable storage medium" for which there is no antecedent basis in the

specification.

Claim Objections

Claims 7, 8, 17, 18, 29, 30 are objected to because of the following informalities: these claims

depend from claims 35, 37, 39, 41, 43 and 45, respectively. There is no sufficient antecedent basis in the

claims for referring to claims 35, 37, 39, 41, 43 and 45. Claims must depend from prior claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

Claims 1-8, 12-18, 23-27, 29, 30, 34, 35, 37-39, 41-43, 45 are rejected under 35 U.S.C. 102(e) as

being anticipated by Slaunwhite et al. (US20030090471, hereinafter Slaunwhite).

As to claims 1, 12 Slaunwhite shows:

A method comprising steps, and a corresponding computer-readable storage medium storing

program instructions, for providing a hot key corresponding to a particular function in a computer system,

the computer system having a graphical user interface (GUI), the particular function provided for a context

of an application program, a user providing input within a context (abstract, lines 1-7), comprising:

integrating a hot key configuring function into the GUI such that a user can access the hot key

configuring function from within the context and without leaving the context (page 3, paragraph [0040],

lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without

looking for a toolbar or a large dialog);

mapping the hot key to the particular function and storing the mapping (e.g., assigning of the

shortcut keys to item types), the mapping and storing performed without the user leaving the context and

in response to the user utilizing the hot key configuring function in the context, wherein the mapping allow

(e.g., does not prevent) the particular function to be accessed by the computer system when the hot key

is selected (figure 3).

(Slaunwhite teaches that the assigning of the shortcut keys to item types takes place in the same

process as the displaying of the non-command item; because Slaunwhite teaches that the displaying,

use, and dismissal of the non-command item happens in the same application, one of ordinary skill in the

art would readily understand that the assigning of the shortcut keys takes place in that same application,

or "in the same context").

As to claims 2, 13, 24, Slaunwhite shows:

The method of claim 1 further comprising the step of:

accounting for ambiguities between the hot key (e.g., command item) and a pre-existing hot key

(e.g., non-command item) (page 3, paragraph [0038]).

As to claims 3, 14, 25, Slaunwhite shows:

wherein the context includes a plurality of items in the GUI (page 2, paragraph [0036], lines 1-3),

one of the plurality of items corresponding to the particular function (page 2, paragraph [0035], lines 1-5),

wherein the computer system includes a mouse (page 2, paragraph [0027]), and wherein the hot key

configuring function integrating step further includes the steps of:

determining the plurality of items selectable in the context (page 2, paragraphs [0035] and [0036],

lines 1-3);

and providing (e.g., making possible but not necessarily causing) a mechanism that maps at least

one of the plurality of items to the hot key from the context without the user leaving the context (page 2,

paragraph [0036], lines 3-8).

As to claims 4, 15, 26, Slaunwhite shows:

wherein the hot key configuring function integrating step further includes a mechanism that

accounts for ambiguities, if any, between the hot key (e.g., command item) and a pre-existing hot key

(e.g., non-command item) (page 3, paragraph [0038]).

As to claims 5, 6, 16, 27, Slaunwhite shows:

wherein the mapping step further includes the steps of:

receiving a key combination selected by the user as the hot key, the key combination including a

plurality of keys (page 3, paragraph [0050], lines 1-8).

As to claims 7, 17, 29, Slaunwhite shows:

The method of claim 35 wherein the receiving of the selection of the particular function includes:

receiving input (e.g., alt-z) from the user indicating an item displayed (e.g., zoom drop down

listbox) in the context, the item causing the particular function (e.g., zoom levels) to be accessed when

the item is selected (page 3, paragraph [0051], 1-12).

As to claims 8, 18, 30, Slaunwhite shows:

The method of claim 37 wherein the indicating of the item includes clicking on a portion of the text

of the item and wherein the portion of the text is assigned as a portion of the hot key (page 3, paragraph

[0040], lines 1-8; page 1, paragraph [0005], lines 1-9]) (e.g., the user is able to "set focus on the non-command item when it is displayed", the non-command item being a drop-down listbox, or an edit box).

As to claim 23, Slaunwhite shows:

A computer system (page 4, paragraph [0058]) comprising:

a hardware mechanism that provides an application, the application providing a context (figure 4) and having a particular function (e.g., zoom) available therein, the particular function provided for a context of an application program (e.g., zooming), a user providing input within the context (e.g., arrow down)(page 3, paragraph [0050], lines 1-12);

a graphical user interface (GUI) (figure 4);

and a hot key configuring function integrated into the GUI (figure 1, element 100) such that a user can access the hot key configuring function from within the context and without leaving the context (page 3, paragraph [0040], lines 5-12) (e.g., user can quickly press hot key, change settings, and then go back to application, without looking for a toolbar or a large dialog), the integrated hot key configuring function utilized by a user to designate a map of the hot key to the particular function and store the mapping without the user leaving the context (e.g., assigning of the shortcut keys to item types), wherein the mapping allows the particular function to be accessed by the computer system when the hot key is selected (figure 3).

(Slaunwhite teaches that the assigning of the shortcut keys to item types takes place in the same process as the displaying of the non-command item; because Slaunwhite teaches that the displaying, use, and dismissal of the non-command item happens in the same application, one of ordinary skill in the art would readily understand that the assigning of the shortcut keys takes place in that same application, or "in the same context").

As to claims 34, 38, 42, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user

leaving the context includes mapping the hot key to the particular function without the user providing input

to a menu separate from the context (figure 3, elements 150-154) (e.g., no menu is taught).

As to claims 35, 39, 43, Slaunwhite shows:

The method of claim 1 wherein mapping the hot key to the particular function without the user

leaving the context includes receiving a selection of the particular function made by the user without the

user providing input to a menu separate from the context (figure 3, elements 156-166) (e.g., no menu is

taught).

As to claims 37, 41, 45, Slaunwhite shows:

The method of claim 7 wherein the item is a text-based item including text (e.g., the text indicating

zoom level), and wherein the indicating of the item includes selecting text of the item (e.g., setting focus to

the zoom level selects the text of the item indicating the zoom level) (page 3, paragraph [0040], lines 1-8;

page 1, paragraph [0005], lines 1-9]) (e.g., the user is able to "set focus on the non-command item when

it is displayed", the non-command item being a drop-down listbox, or an edit box).

References to specific columns, figures or lines should not be limiting in any way. The entire

reference provides disclosure related to the claimed invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 10, 21, 32, 36, 40, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaunwhite.

As to claims 10, 21, 32:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as specified above.

Slaunwhite further shows: wherein the computer system further includes a pointing device (page 2, paragraph [0027]), wherein the context includes a diplayed feature corresponding to the particular function (page 2, paragraph [0037]) (e.g., item type on a list) and wherein the mapping step further includes the steps of:

receiving an indication of the particular function to which the hot key is to be mapped (page 2, paragraph [0037]) (inherent to "user selects the item type from a list")

receiving a selection of a key combination as the hot key (page 2, paragraph [0036], lines 3-8).

Slaunwhite fails to specifically show: receiving an indication of the particular function to which the hot key is to be mapped *when the user hovers the pointing device over the displayed feature for a predetermined amount of time*.

It would have been obvious to one of ordinary skill in the art, having the teachings of Slaunwhite at the time that the invention was made, to have included the receiving of an indication of the particular function to which the hot key is to be mapped *when the user hovers the pointing device over the displayed feature for a predetermined amount of time* with the method, computer-readable storage and system as taught by Slaunwhite.

One would have been motivated to make such combination because a way to simplify the way in which a user indicates a particular function would have been obtained and desired.

As to claims 36, 40, 44, Slaunwhite shows:

Slaunwhite shows a method, computer-readable storage and system substantially as claimed, as specified above.

Slaunwhite fails to specifically show: indicating of the item displayed in the context includes the user hovering a pointing device over a portion of the item in the GUI for a predetermined amount of time.

Thus, it would have been obvious to one of ordinary skill in the art, having the teachings of Slaunwhite at the time that the invention was made, to have included the indicating of the item displayed in the context including the user hovering a pointing device over a portion of the item in the GUI for a predetermined amount of time with the method, computer-readable storage and system as taught by Slaunwhite.

One would have been motivated to make such combination because a way to simplify the way in which a user indicates a particular function would have been obtained and desired.

Response to Arguments

35 U.S.C. § 102(e) Rejection of claims 1, 12, 23

Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention. Applicant argues that:

1) When assigning a hot key to a function of the computer system, Slaunwhite only discloses that an assignment handler links the shortcut key with the item type, and "typically it is done in a customization dialog where the user selects the item type from a list of available item types and then keys in the shortcut key that is associated with it". Thus Slaunwhite is disclosing the standard way of assigning hotkeys, where a separate menu or list is displayed and the user selects the function in the list to assign a hot key, which takes the user out of the application context in which he was providing input.

Examiner disagrees.

As to 1), Examiner notes that Slaunwhite discloses that the customization is *typically* done in the manner described, not *only* in the manner described. Slaunwhite (page 3, paragraph [0040], lines 5-12) describes how a user may manipulate an item promptly and easily without looking for the desired item in

a large dialog box or elsewhere in the interface, or for that matter without going through a customization dialog. In other words, user can quickly press a hot key, change settings, and then go back to application, without looking for a toolbar or a large dialog. Because Slaunwhite teaches that the assigning of the shortcut keys to item types takes place in the same process as the displaying of a non-command item (figure 3), and that the displaying, use, and dismissal of the non-command item happens in the same application, one of ordinary skill in the art would readily understand that the assigning of the shortcut keys takes place in that same application with continuous keyboard input (i.e., with no customization dialog), or "in the same context." Note, however, that even with the customization dialog, the context is still the same, as the user never does leave the application being worked on.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

May	[U.S. 5973688]
Wang	[US7015898]
Williams et al	[US20040239637]
Numano	[US6934778]

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordany Núñez whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JN
6/13/2007

WEILUN LO
SUPERVISORY PATENT EXAMINER